

CITY UTILITIES COMMITTEE

MINUTES

JULY 10, 2007

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, July 10, 2007 at 9:23 a.m.**, in Committee Room #2. The following members were present:

The Honorable Carla Smith, Chair
The Honorable Ceasar C. Mitchell, Vice-Chair
The Honorable Howard Shook
The Honorable Clair Muller
The Honorable Natalyn M. Archibong
The Honorable Ivory L. Young, Jr.

Others present at the meeting were: Councilmember C. T. Martin; Stefanie Grant, Renee Sheperd and Sangeetha Rao, Law Department; Deputy Commissioners Shelia Pierce, George Barnes and Joseph Basista, Department of Watershed Management; Nursef Kadir, Michele Wynn and Sandra Jennings; Department of Public Works; Cathy Martin, Office of Procurement; Greg Pridgeon and Robert Shelaor, Office of the Mayor, members of the public, press and Council Staff.

Chairwoman Smith called the meeting to order at 9:23 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. COMMENTS FROM THE PUBLIC**
- D. ORDINANCES FOR SECOND READING**

07-O-1326 (1) A **Substitute** Ordinance by City Utilities Committee amending the 2007 (2004 Quality of Life Bond Fund) Budget by transferring from and to appropriations for the purpose of reprogramming; and for other purposes.
(Councilmember Young made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE

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ORDINANCES FOR SECOND READING (CONT'D)

- 07-O-1441 (2) An Ordinance by Councilmember Jim Maddox authorizing the Mayor or her designee to waive the sidewalk requirements of Section 15-09.003 of the City of Atlanta Code of Ordinances, to provide that a certain Subdivision SD-07-25, (1888 Kimberly Road, SW) applicant deposit a dollar amount (\$11,300.00) equal to the value of the required sidewalk construction into a designated Trust Fund Account for District 11; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 07-O-1442 (3) An Ordinance by Councilmember Jim Maddox authorizing the Mayor or her designee to waive the sidewalk requirements of Section 15-09.003 of the City of Atlanta Code of Ordinances, to provide that a certain Subdivision SD-07-07, (2568 & 2608 Rex Avenue, SW) applicant deposit a dollar amount (\$7,700.00) equal to the value of the required sidewalk construction into a designated Trust Fund Account for District 11; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 07-O-1445 (4) An Ordinance by Councilmembers Anne Fauver and Carla Smith authorizing the Mayor to grant AT & T a permanent construction and maintenance easement in Piedmont Park for the installation and maintenance of new underground telecommunication cables within Piedmont Park, located in Land Lots 54 and 55 of the 17th District of Fulton County, Georgia, where the installation and maintenance of such cables shall be at no cost to the City; and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE

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ORDINANCES FOR SECOND READING (CONT'D)

- 07-O-1447 (5) An Ordinance by Councilmember Kwanza Hall **as substituted by City Utilities Committee** authorizing the City of Atlanta to waive the provisions contained in the Chapter 138, Article II, Division 6, Section 138-60 (a)(1) of the City of Atlanta Code of Ordinances, to allow the Commissioner of the Department of Public Works to issue a permit for the placement of banners containing limited advertising in the public right-of-way; and for other purposes.
(Councilmember Young made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE

E. RESOLUTIONS

- 07-R-1360 (1) A Resolution by City Utilities Committee to authorize the Mayor to issue a **Notice to Proceed** to CH2MHill/Williams, Russell, Johnson, Joint Venture, for FC-7619-03C, Annual Contract for Architectural and Engineering Services for Emergency Response Program Revisions, on behalf of the Department of Watershed Management, in an amount not to exceed \$399,695.00; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J21 (Water and Wastewater Renewal & Extension Fund) 524001 (Consultant/Professional Services) Q12T07419999 (Water Security Surcharge); and for other purposes.
(Councilmember Young made a motion to approve.)

FAVORABLE (YOUNG) ABSTENTION

- 07-R-1372 (2) An **Amended** Resolution by City Utilities Committee authorizing the Chief Financial Officer to pay the invoices of AT&T/BellSouth Communications System for work associated with the Department of Watershed Customer Information System One Call Center in an amount not to exceed \$285,900.43 to be paid from Fund, Account and Center Number: 2J21 (Water & Wastewater Renewal & Extension Fund) 521105 (Non-Consumable) Q71C04049999 (Call Center Services Project); and for other purposes.
(Councilmember Shook made a motion to approve as amended.)

FAVORABLE AS AMENDED

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RESOLUTIONS (CONT'D)

- 07-R-1373 (3) A Resolution by City Utilities Committee to authorize the Mayor to execute a Renewal Agreement No. 1 with Inliner American, Inc., for FC-3006007906, Annual Contract for Small Diameter Sewer Improvements – Cured-in-Place for an amount not to exceed \$9,543,998.20; all contracted work will be charged to and paid from Various Fund, Accounts and Center Numbers.
(Councilmember Shook made a motion to approve.)

FAVORABLE

- 07-R-1374 (4) A Resolution by City Utilities Committee establishing the Compensation Limits for Parsons/US Infrastructure, JV, for FC-7568-03, Program and Construction Management Services for the Quality of Life Bond Program, during the Fourth Term of the Contract, on behalf of the Department of Public Works, in an amount not to exceed \$1,894,701.03; all contracted work shall be charged to and paid from Various Fund, Account and Center Numbers; and for other purposes.
(Councilmember Shook made a motion to approve.)

FAVORABLE

- 07-R-1375 (5) A Resolution by City Utilities Committee to issue a **Notice to Proceed** to Shaw/AIM, a Joint Venture, for FC-7619-03F, Annual Contract for Architectural and Engineering Services, to provide Supplemental Design Services for the Mitchell Street Bridge Project, on behalf of the Department of Public Works, in an amount not to exceed \$70,595.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 1C50 (2004 Quality of Life Bond Fund) 574001 (Fac. other than Buildings) M65F041392BH (Mitchell Street Viaduct) and for other purposes.
(Councilmember Shook made a motion to approve.)

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RESOLUTIONS (CONT'D)

- 07-R-1451 (6) A Resolution by Councilmember Howard Shook **as amended by City Utilities Committee** authorizing the Department of Public Works Transportation Services of the City of Atlanta to assist the citizens of Ridgedale Park in the placement of Neighborhood Identification Signs within their neighborhood, which is bounded by Peachtree Road to the north, Norfolk Southern Rail Line to the east, and Roxboro Road to the west and south.
(Councilmember Shook made a motion to approve as amended.)

FAVORABLE AS AMENDED

- 07-R-1452 (7) A Resolution by Councilmember Howard Shook authorizing the Mayor to accept and execute an agreement to permit the construction of permanent underground vaults and tunnels and temporary retaining walls employing a prestressed tie-back system located within and under the public rights-of-way of East Paces Ferry Road, North Fulton Drive, Bolling Way, Buckhead Avenue and Pharr Road adjoining the properties known as 206-210 and 220-222-230 Pharr Road, 3009, 3011, 3013, 3015, 3023, 3025, 3029-3031, 3035, 3039, 3045-3047, 3049-3051, 3051-3053, 3057, 3059, 3063-3065, 3067, 3069, 3071 and 3073 Peachtree Road, 3039-3041 and 3040 Bolling Way, 255, 262, 265-267-269, 271-275-277-279, 281, 285 and 287-295 East Paces Ferry Road and 225, 231-235, 247, 248, 262, 270, 280, 284, 288 and 292 Buckhead Avenue, Land Lots 99 and 61 of the 17th District of Fulton County, wherein the grantee reserves the right to limit and regulate the usage of the surface, sub surface and aerial spaces within the rights-of-way; to provide conditions for allowing same; and for other purposes.
(Councilmember Shook made a motion to approve.)

FAVORABLE

- 07-R-1458 (8) A Resolution by City Utilities Committee correcting Resolution 07-R-0607 by inserting the correct dollar amount (\$371,760.00) in the caption and the be it further resolve clause; and for other purposes.
(Councilmember Smith made a motion to approve.)

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F. PAPERS HELD IN COMMITTEE

- 06-O-0306 (1) An Ordinance by City Utilities Committee amending the 2006 (1994 G. O. Bond Referendum Fund) Budget by transferring from and to appropriations in the amount of \$852,361.11 to fund the Paving Management and Improvement Program; and for other purposes. **(Held 2/14/06 at the request of Councilmember Muller)**

HELD

- 06-R-0563 (2) A Resolution by Councilmember Joyce M. Sheperd authorizing the Mayor to enter into an Agreement with Brock Built, LLC providing for the non-standard location of water meters on private property to which the city provides water services; and for other purposes. **(Referred back by Council 3/6/06) (Held 3/14/06 at the request of the Department of Watershed Management so that developer can address the private property concerns)**

HELD

- 06-O-0937 (3) An Ordinance by Councilmember Clair Muller to amend Article VII of Chapter 74 entitled **"Riparian Buffer Requirements"**; to officially change the administrating Department to Watershed Management, to streamline the review process and clarify the Public Notice Requirements; and for other purposes. **(Held 4/25/06 for further review by the Department of Watershed Management)**

HELD

- 06-O-1454 (4) An Ordinance by Councilmember Clair Muller **as amended by City Utilities Committee** to amend Chapter 130 Solid Waste Management, Section 130-84, Rates and Charges, to limit such rate to apply to lots with a residence; and for the other purposes. **(Amended and held 6/27/06 at the request of the author)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-1573 (5) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or her designee to enter into an Agreement between Hilton Atlanta and the Atlanta Marriott Marquis and the City of Atlanta for the erection of a bridge in accordance with Section 138-25(b) of the City of Atlanta's Code of Ordinances; and for other purposes. **(Held 7/11/06 for further discussions)**

HELD

- 06-O-1947 (6) An Ordinance by City Utilities Committee to amend Sections 138-25 and 138-26 of the Official Code of Ordinances of the City of Atlanta, Georgia, to authorize the Commissioner of Public Works to determine the monthly rental rates for the air space or subsurface space occupied by bridges, tunnels of similar structures across streets or alleys and balconies over sidewalks of the City of Atlanta; and for other purposes. **(Held 9/18/06 at the request of the Law Department)**

HELD

- 07-R-0002 (7) A Resolution by City Utilities Committee authorizing the Mayor to enter into a Maintenance Agreement with the Georgia Department of Transportation to convert a section of Bolton Road, Fulton Industrial Boulevard and Harwell Road to temporary State Route for Bridge Improvements; and for other purposes. **(Held 1/9/07 for further review)**

HELD

- (8) Appraisal of the **abandoned** portion of Lakeside Drive, NE, consisting of 19.50 acres proposed assemblage tract or \$1,300,000.00 per acre, or \$29.84 per square foot. **(Held 1/9/07 for further review)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-R-0750 (9) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Players & Company, for FC-6006007947, Annual Contract for Major Mechanical Services for the Bureau of Wastewater Treatment and Collections, on behalf of the Department of Watershed Management, in an amount not to exceed \$122,280.00; all contracted work will be charged to and paid from Various Fund, Account and Center Numbers; and for other purposes. **(Held 5/1/07 at the request of the Department)**

HELD

- 07-O-0979 (10) An Ordinance by Councilmember Kwanza Hall to **abandon** a portion of Fair Street, SW located between Peters Street and the Railroad right-of-way consisting of 0.093 acre more or less, and being more specifically described as Tract "1" in the attached Exhibit "A" lying and being in Land Lot 84 of the 14th District, Fulton County, Georgia; and for other purposes. **(Held 5/15/07 for a Public Hearing) (To be advertised for a Public Hearing)**

HELD

- 07-O-0980 (11) An Ordinance by Councilmember Kwanza Hall to **abandon** a portion of Castleberry Street, SW located between Peters Street and the Railroad right-of-way consisting of 0.115 acre more or less, and being more specifically described as Tract "4" in the attached Exhibit "A" lying and being in Land Lot 84 of the 14th District, Fulton County, Georgia; and for other purposes. **(Held 5/15/07 for a Public Hearing) (To be advertised for a Public Hearing)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-R-1213 (12) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Site Engineering/Imani Environmental Group, Inc., for FC-3007000001, Sewer Rehabilitation, Group 1 Phase II-Contract C – Pipebursting on behalf of the Department of Watershed Management, in an amount not to exceed \$6,164,861.00; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J21 (Water and Wastewater Renewal & Extension Fund) 574001 (Facilities other than Buildings) Q38I027394DA (Sewer Group 1 – Rehabilitation); and for other purposes
(Councilmember Shook made a motion to approve.)

FAVORABLE

- 07-R-1214 (13) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to Jacobs/PRAD/PBS & J, Joint Venture, for FC-7619-03D, Annual Contract for Architectural and Engineering Services, White Paper Study for the Policy Level Analysis of Security Options for Drinking Water Assets, in an amount not to exceed \$48,250.48; all contracted work will be charged to and paid from Fund, Account and Center Number: 2J01 (Water & Wastewater Revenue Fund) 524001 (Consultant/Professional Services) Q12001 (Watershed Security); and for other purposes. **(Held 6/12/07 at the request of Councilmember Shook for further review.)**

HELD

- 07-R-1236 (14) A Resolution by Councilmember Carla Smith authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$_____ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards _____ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes. **(Held 6/12/07)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-1330 (15) An Ordinance by Councilmember Ivory L. Young, Jr. to **abandon** that portion of James P. Brawley Drive, SW, between Parsons Street and Beckwith, lying in Land Lot 14, Council District 14, Fulton County, Georgia, consisting of approximately 0.363 acre and being more specifically described in the attached Exhibit "A"; and for other purposes. **(Held 6/26/07 for a Public Hearing)**

HELD

- 07-O-1335 (16) An Ordinance by Councilmember Clair Muller to amend Chapter 130 of the Solid Waste Management Code, Section 130-38, to clarify recycling requirements and City's enforcement powers regarding multi-family dwellings. **(Held 6/26/07 at the request of the author for further review.)**

HELD

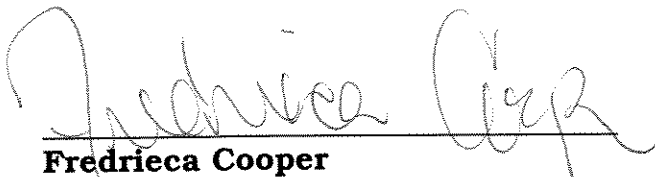
G. REQUESTED ITEMS

1. Councilmember Muller requested the Department of Watershed Management present to the committee a discussion on storm water at a later date.
2. Councilmember Muller made a request to the Department of Finance and Department of Public Works to present to the Committee a status report on the 1994 G. O. Bond Projects.
3. Councilmember Mitchell made a request to the Department of Watershed to receive a map of the floodplain areas for all Council District.

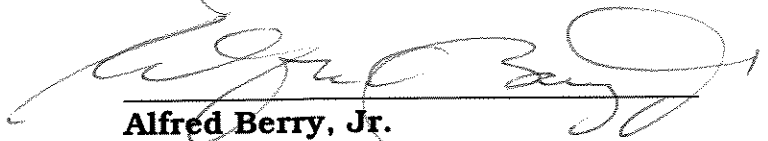
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There being no further business to come before the Committee, the meeting was adjourned at 10:59 a.m.

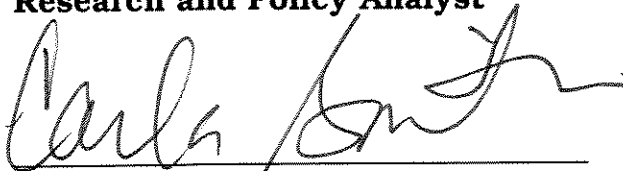
Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Alfred Berry, Jr.
Research and Policy Analyst**



**The Honorable Carla Smith, Chair
City Utilities Committee**